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Letter dated 14 May 2001 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to transmit a statement issued today, 14 May 2001, by the Commission for Coordination with the United Nations Mission in Ethiopia and Eritrea of the State of Eritrea on the results of the inquiry into the incident on the Maereba to Mai Aini road (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Ahmed Tahir **Baduri**
Ambassador
Permanent Representative

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Annex to the letter dated 14 May 2001 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Results of the inquiry into the incident on the Maereba to Mai Aini road

On 5 May 2001, the United Nations Mission in Ethiopia and Eritrea (UNMEE) issued a statement alleging restriction of its freedom of movement on the Mendefera to Tserona road, which, it claimed, was a main supply and access route to the Temporary Security Zone. The Commission initiated an inquiry into the matter. On 9 May 2001, the Commission issued a statement asserting that "no UNMEE vehicle tried to use the Mendefera to Tserona road on May 3" and that "UNMEE has never used the said Mendefera to Tserona road to access the Temporary Security Zone". At the same time, the Commission stated its intention to verify if there was any such incident outside the Mendefera to Tserona road.

Meanwhile, UNMEE released a second statement on 10 May 2001, acknowledging its error in misstating the location of the restriction as on the Mendefera to Tserona road rather than the Dekamhare to Tserona road. Moreover, UNMEE stated that it welcomed the Commission's announced intention to verify the incident and looked forward to receiving the results of the inquiry. The Commission has now completed its verification and the following are its findings.

There is one direct road linking Dekamhare to Tserona via Mai Idaga and Mai Aini. This direct road links Dekamhare to Tserona on a north-south axis and has been the main supply and access route used by UNMEE. There was no incident on this road on 3 May 2001 as alleged by the second UNMEE statement.

There was, however, an incident at an Eritrean Defence Force (EDF) checkpoint in the area of Tekelebi (grid location 142446) involving an UNMEE convoy. This EDF checkpoint, guarding a restricted military zone, is located at the intersection of the Maereba and Quatit roads to Mai Aini, well outside the Temporary Security Zone. UNMEE had never used this road as a main supply or access route to the Temporary Security Zone.

On 3 May 2001, at approximately 1000 hours, a convoy of three UNMEE vehicles (two armoured vehicles with registration numbers KM 2373 and KM 8303 and a tanker with registration number KM 2511) sped past the checkpoint from the Maereba road, ignoring attempts by EDF soldiers manning the checkpoint to slow down and stop them. The EDF soldiers noted the registration numbers of the vehicles with the intent to report the violation.

Again, at around 1400 hours as the two armoured vehicles were returning, EDF soldiers stopped the vehicles and informed the UNMEE officers that they were trying to enter a restricted area. The EDF soldier at the scene informed the UNMEE officers that the vehicles must return to Mai Aini and travel directly north to Dekamhare via Mai Idaga on the main route.

At this point, the UNMEE officer ordered one of the UNMEE vehicles to drive past the checkpoint by driving around the barrier. The vehicle had not been given clearance to do so. The EDF soldier was overwhelmed by the forced attempt to

circumvent the checkpoint and was provoked to fire a single warning shot into the air. The UNMEE vehicle attempting to pass without clearance halted.

The EDF soldier informed the UNMEE officers that they were free to return to Mai Aini and use the direct route to Dekamhare, which UNMEE had always used. The UNMEE vehicles subsequently returned to Mai Aini.

The Commission regrets that a warning shot had to be fired and has requested that an appropriate disciplinary action be taken against the soldier responsible. At the same time, the Commission cannot help but note that such an unfortunate incident should, and could, have been avoided by respect for Eritrea's regulations outside the Temporary Security Zone and by simply stopping at the checkpoint.

Indeed, this unfortunate incident seems to have been triggered by a breach in the UNMEE pledge to respect Eritrean checkpoints outside the Temporary Security Zone on account of orders to ignore and just speed through them. The Commission has lodged repeated protests to UNMEE regarding cases in which UNMEE convoys sped through checkpoints, and it had reached an understanding with UNMEE that all vehicles are required to stop at checkpoints outside the Temporary Security Zone.

The Commission is reassured by the Force Commander's subsequent assurance that he has now rescinded the order to ignore Eritrean checkpoints outside the Temporary Security Zone. The Commission wishes to reiterate Eritrea's commitment to guarantee and facilitate complete freedom of movement for UNMEE within the Temporary Security Zone and through the main supply and access routes to the Temporary Security Zone. The Commission maintains that movement outside the Temporary Security Zone and within restricted military zones requires observance of the necessary procedures, such as notification.